



ENTERED  
01/25/2017

**UNITED STATES BANKRUPTCY COURT FOR  
THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**In re:**

**EVAN BRIAN HAAS**

**Debtor**

§  
§  
§  
§  
§

**CASE NO. 15-25886  
(Chapter 7)**

**EVAN BRIAN HAAS and  
MICHAEL SHAHBAZI**

**Plaintiffs,**

**vs.**

**NAVIENT SOLUTIONS, INC.,**

**Defendant.**

§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§

**ADV. PRO. NO. 16-03175 (drj)**

**AGREED ORDER  
(RELATES TO DOCKET NO. 43)**

UPON consideration of (i) the motion of Evan Brian Haas and Michael Shahbazi (collectively, the “Plaintiffs”) (Docket No. 43; the “Motion”) for entry of an order authorizing the filing of a second amended complaint (the “SAC”), in the form attached to the Motion, against Navient Solutions, Inc. (“NSI”) and Navient Credit Finance Corporation (“NCFC” and together with NSI, collectively, the “Defendants”) and (b) dismissing SLM Corporation (“SLM”) from this proceeding, and (ii) Defendant Navient Solutions, Inc. (“NSI”) objection to the Motion (Docket No. 58; the “Objection”); and the Court having previously entered an order dismissing, without prejudice, SLM from this proceeding (Docket No. 74); and Plaintiffs, NSI, and NCFC having reached an agreement resolving any other and further issues set forth in the Motion and the Objection; and after due deliberation and good cause therefore; it is **HEREBY**

**ORDERED** that the Motion is granted as set forth herein;

**ORDERED** that Plaintiffs shall file and serve the SAC within seven (7) days after entry of this Order;

**ORDERED** that Defendants shall file an answer or otherwise respond under Fed. R. Civ. P. 12, made applicable by Fed. R. Bankr. P. 7012, within thirty (30) days after the SAC is filed;

**ORDERED** that, if Defendants file a motion pursuant to Fed. R. Bankr. P. 7012 and Fed. R. Civ. P. 12 (a "Rule 12 Motion") in response to the SAC by the deadline set forth above, Plaintiffs shall have thirty (30) days thereafter to file a response, and Defendants shall have twenty-one (21) days following the filing of Plaintiffs' response to file a reply in support of the Rule 12 Motion;

**ORDERED** that, within fourteen (14) days after the filing of Defendants' answer in response to the SAC or upon entry of an order resolving any Rule 12 Motion, as applicable, the parties shall meet and confer regarding discovery and such other scheduling matters as may be appropriate; and

**ORDERED** that nothing in this Order shall prejudice any party's right to seek further relief from the Court regarding the deadlines set forth herein.

**Signed: January 25, 2017.**

  
\_\_\_\_\_  
**DAVID R. JONES**  
**UNITED STATES BANKRUPTCY JUDGE**

Approved by:

/s/ Adam Corral

Adam Corral

Jason W. Burge (admitted *pro hac vice*)

SBN (LA) 30420

Kathryn J. Johnson (admitted *pro hac vice*)

SBN (LA) 36516

**FISHMAN HAYGOOD L.L.P.**

201 St. Charles Avenue, 46th Floor

New Orleans, Louisiana 70170

Telephone: (504) 586-5252

Facsimile: (504) 586-5250

[jburge@fishmanhaygood.com](mailto:jburge@fishmanhaygood.com)

[kjohnson@fishmanhaygood.com](mailto:kjohnson@fishmanhaygood.com)

Austin Smith (admitted *pro hac vice*)

SBN (NY) 5377254

**SMITH LAW GROUP**

3 Mitchell Place

New York, New York 10017

Telephone: (917) 992-2121

[austin@acsmithlawgroup.com](mailto:austin@acsmithlawgroup.com)

Catherine E. Lasky (admitted *pro hac vice*)

SBN (LA) 28652

Kerry Murphy (admitted *pro hac vice*)

SBN (LA) 31382

**JONES, SWANSON, HUDDALL & GARRISON, L.L.C.**

601 Poydras Street, Suite 2655

New Orleans, Louisiana 70130

Telephone: (504) 523-2500

Facsimile: (504) 523-2508

[Klasky@jonesswanson.com](mailto:Klasky@jonesswanson.com)

[Kmurphy@jonesswanson.com](mailto:Kmurphy@jonesswanson.com)

Joshua B. Kons (admitted *pro hac vice*)

SBN (IL) 6304853

**LAW OFFICES OF JOSHUA B. KONS, LLC**

939 West North Avenue, Suite 750

Chicago, Illinois 60642

Telephone: 312-757-2272

[joshuakons@konslaw.com](mailto:joshuakons@konslaw.com)

Mark Douglas Myers (TBN 00797133)  
**ROSS, BANKS, MAY, CRON & CAVIN, P.C.**  
7700 San Felipe, Suite 550  
Houston, Texas 77063  
Telephone: 713-626-1700  
Facsimile: 712-623-6014  
[mmyers@rossbanks.com](mailto:mmyers@rossbanks.com)

Adam Corral (TBN 24080404)  
Susan Tran (TBN 24075648)  
Brendon Singh (TBN 2407646)  
**CORRAL TRAN SINGH, LLP**  
440 Louisiana St, Suite 2450  
Houston, Texas 77002  
Telephone: (832) 975-7300  
Facsimile: (832) 975-7301  
[adam.corral@ctsattorneys.com](mailto:adam.corral@ctsattorneys.com)  
[susan.tran@ctsattorneys.com](mailto:susan.tran@ctsattorneys.com)  
[brendon.singh@ctsattorneys.com](mailto:brendon.singh@ctsattorneys.com)

***COUNSEL TO PLAINTIFFS***

**-AND-**

/s/ Thomas M. Farrell  
Thomas M. Farrell (TXB 06839250)  
JPMorgan Chase Tower  
600 Travis Street  
Suite 7500  
Houston, Texas 77002  
Telephone: (713) 571-9191  
Facsimile: (713) 571-9652  
E-mail: [tfarrell@mcguirewoods.com](mailto:tfarrell@mcguirewoods.com)

Dion W. Hayes (admitted *pro hac vice*)  
K. Elizabeth Sieg (admitted *pro hac vice*)  
Gateway Plaza  
800 East Canal Street  
Richmond, Virginia 23219  
Telephone: (804) 775-1000  
Facsimile: (804) 698-2255  
E-mail: [dhayes@mcguirewoods.com](mailto:dhayes@mcguirewoods.com)  
[bsieg@mcguirewoods.com](mailto:bsieg@mcguirewoods.com)

***COUNSEL TO NAVIENT SOLUTIONS, INC.  
AND NAVIENT CREDIT FINANCE CORPORATION***